

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF DELAWARE

ABBOTT LABORATORIES and	)	
ADVANCED CARDIOVASCULAR	)	
SYSTEMS, INC.,	)	
	)	
Plaintiffs,	)	Civil Action No. 06-613 (SLR)
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
JOHNSON AND JOHNSON, INC. and	)	
CORDIS CORPORATION,	)	
	)	
Defendants.	)	

**AFFIDAVIT OF MAILING**

STATE OF DELAWARE    )  
                                  ) SS.  
NEW CASTLE COUNTY    )

BE IT REMEMBERED that on this 26th day of October, 2006, there did personally appear before me, the Subscriber, a Notary Public for the state and county aforesaid, Anne Shea Gaza, known to me personally to be such, and being duly sworn according to law hereby deposes and says as follows:

1. She is an attorney with the law firm of Richards, Layton & Finger, counsel to plaintiffs Abbott Laboratories and Advanced Cardiovascular Systems, Inc.

2. Defendant Johnson and Johnson, Inc. ("J&J") is a non-resident of the State of Delaware. Upon information and belief, J&J is a corporation organized under the laws of the State of New Jersey and has a principal place of business at One Johnson and Johnson Plaza, New Brunswick, New Jersey 08933.

3. The original Summons and Complaint in this action was served on J&J on October 2, 2006, pursuant to Fed. R. Civ. P. Rule 4 and 10 *Del. C.* § 3104, by hand delivery to

the Delaware Secretary of State, together with the statutory fee of \$2.00. A copy of the Summons, showing service on the Secretary of State, was filed with the Court on October 3, 2006.

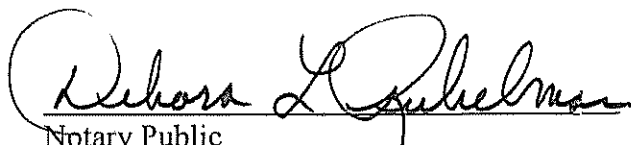
4. On October 3, 2006, a copy of the Summons, Complaint, Rule 7.1 Disclosure Statement, Civil Case Information Statement and Notice of Availability of United States Magistrate Judge to Exercise Jurisdiction were sent by registered mail, return receipt requested, to J&J at its principal place of business (as set forth above), together with a notice stating that service of the original Summons and a copy of the Complaint was made upon the Delaware Secretary of State and that, under 10 *Del. C.* § 3104, such service was as effectual for all intents and purposes as if it had been made upon J&J personally in the State of Delaware. A copy of the registered letter is attached hereto as Exhibit A and made a part hereof.

5. Upon mailing said registered letter, a receipt was issued, a copy of which is attached hereto as Exhibit B and made a part hereof.

6. The registered letter was signed for and received on or about October 6, 2005. Proof of delivery on October 6, 2006 was confirmed by the United States Postal Service's Track and Confirm system, a true and correct copy of which is attached hereto as Exhibit C and made a part hereof. The Original retrun receipt of the registered letter has not been provided to Affiant.

  
Anne Shea Gaza (#4093)

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

  
Notary Public  
DEBORA L. RUBELMAN  
Notary Public - State of Delaware  
My Comm. Expires Nov. 7, 2006

# EXHIBIT A

**RICHARDS, LAYTON & FINGER**

A PROFESSIONAL ASSOCIATION

ONE RODNEY SQUARE

920 NORTH KING STREET

WILMINGTON, DELAWARE 19801

(302) 651-7700

FAX (302) 651-7701

WWW.RLF.COM

ANNE SHEA GAZA

DIRECT DIAL  
(302) 651-7539  
GAZA@RLF.COM

October 3, 2006

**REGISTERED MAIL NO. RA 906 724 421 US**  
**RETURN RECEIPT REQUESTED**

Johnson and Johnson, Inc.  
1 Johnson & Johnson Plaza  
New Brunswick, NJ 08933

**Re: Abbott Laboratories and Advanced Cardiovascular Systems v.  
Johnson and Johnson, Inc. and Cordis Corporation, C.A. No. 06-613  
Notice of Service Pursuant to 10 Del. C. § 3104**

Dear Johnson and Johnson, Inc.:

Abbott Laboratories and Advanced Cardiovascular Systems have filed a Complaint against Johnson and Johnson, Inc. ("J&J") in the United States District Court for the District of Delaware.

Enclosed is a copy of the Summons and Complaint filed in the above-referenced action. The original Summons and a copy of the Complaint were personally served upon the Secretary of State of the State of Delaware on October 2, 2006 in compliance with 10 Del. C. § 3104. Such service is effectual for all intents and purposes as if it had been made upon you personally within the State of Delaware.

Please be advised that through this letter I am personally notifying you that a Complaint has been filed against J&J by Abbott Laboratories and Advanced Cardiovascular Systems as a result of J&J's actions as alleged in the Complaint. This letter further serves to inform you that J&J has an obligation to answer the Complaint filed against it and that J&J's failure to do so may result in a default judgment being entered against J&J.

Very truly yours,

  
Anne Shea Gaza

ASG/csi  
Enclosures

cc: Edward A. Mas, II, Esq. (via electronic mail) (w/o encl.)

Johnson and Johnson, Inc.

October 3, 2006

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Frederick L. Cottrell, III, Esq. (w/o encl.)

# EXHIBIT B

Registered No. RA 906 724 421 US		Date Stamp WILMINGTON DE RODNEY SQ STA 19001 OCT 3 2006	
To Be Completed By Post Office	Reg Fee \$ 7.90		
	Handling \$ Charge	Return \$ 1.85 Receipt	
	Postage \$ 4.20	Restricted \$ Delivery	
	Received by 11/13.95		
Customer Must Declare Full Value \$ 0		<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance	
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Anne Shea Giza, Esquire	
		Richards, Layton + Finger	
		One Rodney Square, 920 King St.	
		Wilmington, DE 19801	
	TO	Johnson + Johnson, Inc.	
		1 Johnson + Johnson Plaza	
	New Brunswick, NJ 08933		

PS Form 3806, June 2002 **Receipt for Registered Mail** Copy 1 - Customer (See Information on Reverse)

Domestic Insurance up to \$25,000 is included in the fee. International indemnity is limited. (See Reverse).

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®

# EXHIBIT C



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## Track & Confirm

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Label/Receipt Number: **RA90 6724 421U S**  
Status: **Delivered**

Your item was delivered at 7:25 am on October 06, 2006 in NEW BRUNSWICK, NJ 08903.

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